

MANSFIELD TOWNSHIP COMMITTEE MEETING

March 27, 2013

This is a regular meeting of the Mansfield Township Committee. The notice requirements of the law have been satisfied for this meeting by notice to the Star-Gazette and the Express Times of the time, date and location thereof. Notice was also posted on the announcement board located in the Municipal Building.

Roll Call: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Salute to the flag was done by all.

APPROVAL OF THE MINUTES:

Mr. Watters went through the corrections for the minutes.

Mr. Watters made a motion to approve the minutes from the March 13, 2013 with corrections, which was seconded by Mr. Smith.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

APPROVAL OF THE BILL LIST:

Mr. Watters stated that there is a bill for Courter, Kobert and it is billed through the general account, and should be through the recreation account.

Mr. Clancy asked why the labor bill for the attorney was so high.

Mr. Watters stated that if Mr. Clancy asked Mr. Pandos for the breakdown of the bill he could provide it.

Mr. Watters made a motion to approve the bill list with the bill for Courter, Kobert for recreation being moved to recreation and not billed out of the general account, which was seconded by Mr. Smith.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

CFO REPORT:

Mr. Watters made a motion to advertise in the League of Municipalities for a tax collector, which was seconded by Mrs. Kocher.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

Mr. Pandos stated that he received a call from a collection agency in reference to the billing from Suburban Propane for the Mansfield Township Fire Company.

Mr. Pandos stated that there has been a request from Barry Isett and Associates for billing for Washburn Road and Buffalo Southwest.

Mr. Pandos stated that he will be out at a payroll seminar on Friday.

Mr. Pandos stated that the checks will be in tomorrow for Unity Bank.

CLERKS REPORT:

Ms. Hrebenak explained that the bids are out for the lawn mowing and the tractor and that they are due back on April 3 one at 12:00 and one at 12:30. Ms. Hrebenak stated that there are about 5 or 6 out for each bid.

Ms. Hrebenak explained that she met with Scott Gaskill and that the website looks really good and that the calendar has been imputed there is still some clean up that needs to be done on the pages and the website should be live beginning of next week.

Ms. Hrebenak suggested that the township consider a photo contest for pictures on the website and also an art contest with the elementary school.

ENGINEERS REPORT:

Mr. DiSessa explained that the HMUA project in Diamond Hill and the road conditions after the project is finished.

Mr. DiSessa stated that he spoke to Bruce Smith at HMUA and they are trying to make it work that the contractor will finish and then the money that is left over would come to the township for repaving the roads in Diamond Hill. Mr. Smith seems to think that there could be about \$80,000 to \$100,000 to be donated for this purpose, which would be about half of what will be needed for this job.

PUBLIC PORTION:

Mr. Proefrock, Diamond Hill, suggested that there needs to be milling done in Diamond Hill because each time the road gets repaired the curb is slowly disappearing. And the staging area caused the trucks to put a lot of wear on the roads.

Mr. DiSessa explained that he would be going over the project with HMUA.

Mr. Proefrock asked when the website will be brought live.

Mayor Tomaszewski stated that it will be live the beginning of next week.

Mr. Proefrock asked that the park trail be opened.

Mr. Smith stated that he would speak with Mr. Sliker.

Mrs. Thompson asked that the Township Committee what the status was with the temporary tarp that is covering the scaffolding and parts.

Mr. DiSessa stated that this was covered by the April 1 date.

Mrs. Thompson asked about zoning clarification at Route 57 Auto salvage with two used cars businesses.

Marvin Kocher, Butler Park, asked about the intersection on Route 57 and asked that the speed limit be dropped down by the Anderson Hotel and also there should be another stop sign installed at the end of Clinton.

Mr. Greg Barry 16 Canterbury Lane, stated that he was asked to come up with some names for someone to fill the open position for the Soccer Commissioner.

Ray Scott, 117 Jefferson Street, spoke to the Township Committee about the traffic on Clinton Ave. Mr. Scott stated that the people are not following the signs.

Mr. DiSessa stated that he will contact the resident engineer and walk it out with him.

Jennifer Rosenbloom, asked how things work with the Recreation Commission when someone steps down.

Mr. Doug Wright, Komar Road, stated that he was removing the snow from his truck and he was struck in the back with a trucks mirror that was going down his road with Pennsylvania tags. The truck continued on with no regard of just hitting him.

Mr. Wright stated that he spoke with people from US Highway traffic safety and they agreed that the signage is not adequate.

Mayor Tomaszewski asked if the people on the road would have a problem if Mr. Sliker brought the concrete barriers to close off the road on the Route 57 side of the road.

Mayor Tomaszewski asked if the problems on the road began with the construction on Route 57.

Mr. Wright stated that there have always been problems, but it has gotten worse since the construction began.

Mr. Wright suggested that a sign be placed at the end of Asbury Anderson road that states no trucks could possibly help.

RESOLUTION:

**RESOLUTION 2013 –51
TOWNSHIP OF MANSFIELD, WARREN COUNTY, NEW JERSEY**

**RESOLUTION PROVIDING FOR INCREASE IN RESERVE FOR UNCOLLECTED TAXES
PERCENTAGE**

WHEREAS, the Township of Mansfield collected only 96.60% of the 2012 taxes due to an increase in taxpayers being delinquent as a result of unfavorable economic conditions in the local economy and real estate markets for 2012, and

WHEREAS, the Township of Mansfield's average collection percentage for the prior 3 years is 97.17%, as calculated below, and

	<u>Collection Percentage</u>
2012	96.60
2011	97.56
2010	<u>97.36</u>
 TOTAL	 291.52
3 Year Average	97.17 %

WHEREAS, the lower percentage collected in 2012 has an effect on the "Reserve for Uncollected Taxes" in 2013, and

WHEREAS, the Governing Body desires to anticipate 97.17% collection for 2013, to help reduce the "Reserve for Uncollected Taxes", with prior written consent of the Director of Local Government Services,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Township of Mansfield, County of Warren, State of New Jersey, that the prior written consent of the Director of Local Government Services be requested to anticipate 97.17% collection of taxes in 2013 in figuring the "Reserve for Uncollected Taxes".

BE IT FURTHER RESOLVED that two certified copies of this resolution be forwarded to the Office of the Director of Local Government Services.

Mr. Watters made a motion to approve the passage of Resolution 2013-51, which was seconded by Mr. Smith.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

**RESOLUTION # 2013-52
LIEN REDEMPTION**

**TOWNSHIP OF MANSFIELD
WARREN COUNTY, STATE OF NEW JERSEY**

WHEREAS, the Tax Collector of the Township of Mansfield has advised the Committee that the following property has been redeemed and the money due thereon paid to the Township of Mansfield Tax Collector;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 27th day of March 2013 that refund is to be made to the certificate holder as noted:

US Bank Cust For Pro Capital I, LLC
US Bank TLSG
50 S. 16th Street, Suite 1950

Philadelphia, PA. 19102

Block 2704 Lot 06
Certificate # 2012-25
\$ 4,832.13

Mr. Smith made a motion to approve the passage of Resolution 2013-52, which was seconded by Mr. Watters.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

RESOLUTION # 2013-53

Return of Premium

TOWNSHIP OF MANSFIELD

WARREN COUNTY, STATE OF NEW JERSEY

WHEREAS, the Tax Collector of the Township of Mansfield has advised the Committee that the following property has been redeemed within five (5) years of the tax sale, and a premium of \$ 2,100.00 was paid at the time of the sale;

NOW THEREFORE BE IT RESOLVED, by the Township Committee of the Township of Mansfield this 27th day of March 2013 that the \$ 2,100.00 premium is to be returned to the certificate holder as noted:

CERTIFICATE HOLDER

US Bank Cust For Pro Capital I, LLC
US Bank TLSG
50 S. 16th Street, Suite 1950
Philadelphia, PA 19102

BLOCK/LOT

Block 2704 Lot 06

CERT #

2012-25

Mr. Clancy made a motion to approve the passage of Resolution 2013-53, which was seconded by Mrs. Kocher.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

ORDINANCE:

First Reading:

2013-05
CALENDAR YEAR 2013
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO
ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.0% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Mayor and Township Committee of the Township of Mansfield in the County of Warren finds it advisable and necessary to increase its CY 2013 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Mayor and Township Committee hereby determines that a 1.5 % increase in the budget for said year, amounting to \$ 61,462.20 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Mayor and Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Mayor and Township Committee of the Township of Mansfield, in the County of Warren, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2013 budget year, the final appropriations of the Township of Mansfield shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$143,411.77, and that the CY 2013 municipal budget for the Township of Mansfield be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Mr. Watters made a motion to approve the introduction of Ordinance 2013-05 and requested that the public hearing be advertised to be held on April 10, 2013 at 8pm, which was seconded by Mayor Tomaszewski.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None
Absent: None
Abstain: None

INTRODUCTION OF MUNICIPAL BUDGET 2013 Resolution 2013-54

Mr. Watters made a motion to approve the introduction of Resolution 2013-54 and requested that the public hearing be advertised to be held on April 24, 2013 at 8pm, which was seconded by Mr. Smith.

Ayes: Mr. Smith, Mr. Watters, Mayor Tomaszewski
Nays: Mr. Clancy, Mrs. Kocher
Absent: None
Abstain: None

Second Reading:

ORDINANCE 2013-03

AN ORDINANCE TO AMEND CHAPTER III A OF THE CODE OF THE TOWNSHIP OF MANSFIELD BY ADDING NEW SECTIONS 3 CLINIC SPORTS REGISTRATION FEES AND SCHOLARSHIPS

WHEREAS, the Township Committee of the Township of Mansfield has determined that there should be, within the Township of Mansfield; recreation registration fees.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Mansfield, County of Warren, State of New Jersey, that the Code of the Township of Mansfield is hereby amended to include the following provisions regarding recreation registration fees.

Section 1

Chapter IIIA of the Code of the Township of Mansfield is hereby amended to include a new section establishing Clinic Sports Registration Fees:

Chapter IIIA-13. Clinic sports registration fees for participation of children in sports clinics of the Township of Mansfield shall be as follows:

- Summer Junior Tennis Program
 - i. Pee Wee (ages 5-6) \$24 per session, per child
 - ii. Beginner (ages 7-9) \$46 per session, per child
 - iii. Junior (ages 10-12) \$46 per session, per child
 - iii. \$10 Insurance fee (paid one time, per child)

Section 2

This ordinance shall take effect immediately after passage.

Section 3

Any ordinance that is inconsistent with the foregoing shall be deemed repealed by this ordinance.

Mr. Watters made a motion to approve the passage of Ordinance 2013-03 and requested that the results be advertised, which was seconded by Mr. Smith.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

ORDINANCE # 2013-04

AN ORDINANCE TO PROVIDE FOR AND DETERMINE THE SALARY FOR AN EMPLOYEE OF THE TOWNSHIP OF MANSFIELD AND THE METHOD OF PAYMENT OF SUCH SALARY

Certified Tax Collector	\$10,000.00	-	\$30,000.00	Annual
-------------------------	-------------	---	-------------	--------

Mr. Watters made a motion to approve the passage of Ordinance 2013-04 and requested that the results be advertised, which was seconded by Mrs. Kocher.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

Executive Session

FOP Contract

Litigation and Recreation Commission Appointment

Mr. Watters made a motion to go into Executive Session at 8:42pm, which was seconded by Mayor Tomaszewski. 8:42pm.

Return to regular session at 9:21pm.

Roll Call: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

RESOLUTION #2013-55

RESOLUTION OF THE GOVERNING BODY OF THE TOWNSHIP OF MANSFIELD AUTHORIZING EXECUTION OF THE 2013-2015 FOP LODGE 157 COLLECTIVE NEGOTIATIONS AGREEMENT

WHEREAS, the negotiations teams for Township of and Township of Mansfield FOP Lodge 157 have reached agreement on the terms for a new three (3) year collective negotiations agreement for

January 1, 2013 through December 31, 2015; and

WHEREAS, the Township Committee and FOP Lodge 157 have both previously ratified the terms of said agreement, providing for increases of 1.5% for 2013 (top step only), 1.5% for 2014 (top step only) and 2.0% for 2015 (top step only; and

WHEREAS, the new 2013-2015 Agreement has been drafted by the Township labor Counsel and reviewed and approved by FOP Lodge 157; and

WHEREAS, the Governing Body of the Township of Mansfield wishes to finalize the 2013-2015 Agreement in the form attached hereto.

NOW THEREFORE IT BE RESOLVED by the Governing Body of the Township of Mansfield that the FOP Lodge 157 Collective Negotiations Agreement for 2013-2015, in the form attached hereto, is approved on this 27th Day of March, 2013.

BE IT FURTHER RESOLVED that the Mayor and Township Clerk are authorized to finalize and execute the 2013-2015 Agreement with FOP Lodge 157.

Mayor Tomaszewski made a motion to approve the passage of Resolution 2013-55, which was seconded by Mr. Smith.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

Mr. Watters made a motion to do a revaluation of the township, which was seconded by Mayor Tomaszewski.

Ayes: Mr. Smith, Mr. Watters, Mrs. Kocher, Mayor Tomaszewski

Nays: Mr. Clancy

Absent: None

Abstain: None

Mayor Tomaszewski asked Mr. Falco for a resume of his qualifications for the position of commissioner for recreation.

Mr. Barry asked if there is a timeframe on this.

Mayor Tomaszewski asked to receive this information by Friday.

COMMITTEE PERSON COMMENTS:

Mr. Smith stated that Mr. Farino will be striping the fields in Kensington.

Ms. Hrebenak stated that there was a letter that Liberty Twp had sent with a resolution to the Governor in reference to the farmland assessment bill on the dais, if anyone would like to do anything in reference to this if they could let her know.

Mrs. Kocher stated that we have reviewed the recreation property and there is no Green Acres money involved so do we want to change the name or will this done through recreation.

Mayor Tomaszewski stated that the township committee would be able to change the name.

Mayor Tomaszewski asked Mr. Smith to talk to Mr. Sliker about putting up Jersey Barriers at the Route 57 end of Komar Road, and also the recreation path and see what still needs to be done to reopen it.

Mr. Watters stated that there is a memo from Drew for the remainder of the bill for the generator.

Mayor Tomaszewski made a motion to pay for the generator as long as all inspections have been done, which was seconded by Mrs. Kocher.

Ayes: Mr. Smith, Mr. Watters, Mr. Clancy, Mrs. Kocher, Mayor Tomaszewski

Nays: None

Absent: None

Abstain: None

Mayor Tomaszewski made a motion to adjourn at 9:30pm, which was carried by all.